

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RICHARD BASCIANO, d/b/a 303 WEST 42nd STREET REALTY,	:	CIVIL ACTION
	:	
	:	
Plaintiff,	:	
	:	
v.	:	NO. 2:11-cv-1250-JD
	:	
	:	
L&R AUTO PARKS, INC.;	:	
ENTERPRISE PARKING COMPANY,	:	
LLC, t/a FIVE STAR PARKING, a	:	
California General Partnership; and FIVE	:	
STAR PARKING, a California General	:	
Partnership,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 10th day of February, 2012, upon consideration of Defendant LR FSP's Motion for Summary Judgment (Document No. 31, filed December 16, 2011), Plaintiff's Memorandum of Law in Opposition to Defendant—Five Star Parking's Motion for Summary Judgment (Document No. 38, filed January 17, 2012), Defendant LR FSP's Motion for Leave to File a Reply Brief in Support of Its Motion for Summary Judgment (Document No. 40, filed January 24, 2012), Plaintiff—Richard Basciano's Motion for Summary Judgment (Document No. 32, filed December 16, 2011), Defendant LR FSP's Memorandum of Law in Opposition to Plaintiff Ricahrd Basciano's Motion for Summary Judgment and in Further Support of Defendant LR FSP's Motion for Summary Judgment (Document No. 37, filed January 16, 2012), Plaintiff, Richard Basciano's Motion for leave to File a Reply Brief in Support of Its Motion for Summary Judgment (Document No. 41, filed January 26, 2012), and Defendant LR FSP's

Response to Plaintiff Richard Basciano's Motion for Leave to File a Reply Brief (Document No. 42, filed January 30, 2012), for the reasons set forth in the Memorandum dated February 10, 2012, **IT IS ORDERED** as follows:

1. Plaintiff—Richard Basciano's Motion for Summary Judgment (Document No. 32, filed December 16, 2011) is **DENIED**; and

2. Defendant LR FSP's Motion for Summary Judgment (Document No. 31, filed December 16, 2011) is **GRANTED IN PART** and **DENIED IN PART** as follows:

- a. Defendant LR FSP's Motion for Summary Judgment is **GRANTED** with respect to the 2011 real estate tax and attorneys' fees; and
- b. Defendant LR FSP's Motion for Summary Judgment is **DENIED** in all other respects;

IT IS FURTHER ORDERED that:

1. Defendant LR FSP's Motion for Leave to File a Reply Brief in Support of Its Motion for Summary Judgment (Document No. 40, filed January 24, 2012) is **GRANTED**; and

2. Plaintiff, Richard Basciano's Motion for leave to File a Reply Brief in Support of Its Motion for Summary Judgment (Document No. 41, filed January 26, 2012) is **GRANTED**.

BY THE COURT:

/s/ Hon. Jan E. DuBois

JAN E. DUBOIS, J.